

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6079**

**BILL NUMBER: SB 17**

**NOTE PREPARED: Jan 26, 2004**

**BILL AMENDED: Jan 15, 2004**

**SUBJECT:** Expanded DNA Testing.

**FIRST AUTHOR:** Sen. Zakas

**FIRST SPONSOR:**

**BILL STATUS:** As Passed Senate

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State

**Summary of Legislation:** (Amended) This bill has the following provisions:

- A. It adds residential entry and incest to the crimes for which an offender committed to the Department of Corrections (DOC) is required to submit a DNA sample.
- B. It requires an offender to submit a DNA sample if the offender is convicted of conspiracy or an attempt to commit certain crimes.
- C. It permits the use of DNA data erroneously added to the database.

**Effective Date:** July 1, 2004.

**Explanation of State Expenditures:** (Revised) **This bill would increase the costs to the Indiana State Police by \$35,190 in FY 2005 and by \$9,780 in each subsequent fiscal year.**

Under current law, offenders who have been convicted for felonies against a person and burglary are required by law to provide DNA material for the Indiana DNA Database.

This bill would add the following offenders to this list:

- offenders convicted of residential entry and incest and committed to a DOC facility, and
- adult offenders convicted of conspiring or attempting to commit a felony against a person, burglary, residential entry, or incest.

**Samples To Be Analyzed:**

The potential number of new DNA specimens could be as many as 847 adult offenders who are already in DOC and not yet typed and 326 adult offenders who would enter the system during each year. The following shows the breakdown by offense:

<b>Offender:</b>	<b>Estimated Offenders Already in System <u>To Be Typed:</u></b>	<b>Estimated New Offenders Committed Each Year <u>To Be Typed:</u></b>
Residential Entry	78	132
Incest (Felony Class B and C)	30	9
Attempted Crimes under IC 35-42, Burglary, Residential Entry, and Incest	453	103
Conspiracy to Commit Crimes under IC 35-42, Burglary, Residential Entry, and Incest	<u>286</u>	<u>82</u>
Total New Samples	<u>847</u>	<u>326</u>

#### The DNA Identification Process:

The general process for typing DNA samples involve the following steps:

1. All DNA samples taken by trained staff are blood samples. Blood samples in three county jails under the current pilot project funded by a federal grant are taken by medical personnel.
2. Samples are personally delivered to the State Police Laboratory by DOC personnel. Once received, the blood is put on several stain cards, dried, numbered, put in envelopes, and logged. The companion sample is then sent to an accredited vendor. All of this work is completed by the analysts.
3. When the accredited vendor returns the sample and the analytical results, the analysts cross-check the sample with instrument readings against the sample held in the lab and enter the results in the DNA database.
4. When the analysts find a match between DNA at a crime scene and a sample in the DNA repository, the analysts take the lab sample and do the typing themselves to ensure the sample is a match. The more samples that are in the system will result in more matches and an increased workload for these analysts.

#### Estimated Cost:

The Indiana State Police indicate that these added specimens would cost \$30 each for a certified commercial laboratory to analyze. The added costs are shown in the following table:

<u>Fiscal Year</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
Offenders in System	847	0	0
New Offenders	+ <u>326</u>	+ <u>326</u>	+ <u>326</u>
Offenders to be typed	1,173	326	326
Cost Per Test	x <u>\$30</u>	x <u>\$30</u>	x <u>\$30</u>
Annual Cost	<u><u>\$35,190</u></u>	<u><u>\$9,780</u></u>	<u><u>\$9,780</u></u>

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana State Police, Department of Correction

**Local Agencies Affected:**

**Information Sources:** Department of Correction; Steve Hillman, Indiana State Police.

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